

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE POKÉMON COMPANY
INTERNATIONAL, INC., a Delaware
corporation,

Plaintiff,

v.

BRYAN GARCIA CRUZ, an individual,
Defendant.

No. 19-cv-1911MJP

DECLARATION OF HOLLY M.
SIMPKINS IN SUPPORT OF PLAINTIFF'S
MOTION FOR LEAVE TO FILE SECOND
AMENDED COMPLAINT

I, Holly M. Simpkins, declare as follows:

1. I am an attorney licensed to practice law before the courts of the State of Washington. I am a Partner at Perkins Coie LLP, and counsel in this action for Plaintiff, The Pokémon Company International, Inc. ("TPCi"). I submit this declaration in support of TPCi's Motion for Leave to File Second Amended Complaint. I have personal knowledge of the facts stated herein and, if called upon, could and would testify competently thereto under oath.

2. Since Mr. Garcia returned the waiver of service, TPCi has continued its investigation focusing on determining the identities and roles of others that were involved in the leaks.

3. As a result of that continued investigation, TPCi recently received information regarding Mr. Andino's role in leaking pictures of the Strategy Guide.

1 4. Attached hereto as Exhibit 1 is a copy of TPCi's proposed Second Amended
2 Complaint with the new allegations reflected in redline.
3

4 I declare under penalty of perjury under the laws of the United States that the foregoing is
5 true and correct.
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7 Executed on this 5th day of November, 2020.

8 s/ Holly M. Simpkins
9 Holly M. Simpkins
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